

**North Dakota University System Staff Senate Meeting
June 14, 2011 Meeting Minutes**

The North Dakota University System Staff Senate met on June 14, 2011 in Dickinson, ND.

Schools present:

Bismarck State College (BSC): Darcy Makeeff;
Dakota College Bottineau (DCB): Tracy Chisholm;
Dickinson State University (DSU): Christie Chernich, Heidi Larson, and Anthony Willer;
Lake Region State College (LRSC): Cindy Rerick;
Mayville State University (MaSU): Cindy Ingebretson;
Minot State University (MiSU): Nathan Anderson, Linda Benson, Connie Teets, and Anton Huether;
North Dakota State College of Science (NDSCS): Aaron Berg;
North Dakota State University (NDSU): LaDonna DeGeldere;
University of North Dakota (UND): Janice Hoffarth, Kristi Swartz, Loren Liepold, and Patricia Young;
Valley City State University (VCSU): Joy Smith and Rick Clark;
Williston State College (WSC): Angie March, Rita Ann Deichert and James Foertsch.

Schools Absent: None

Human Resource Council representative: Gail Ebeltoft, DSU

Welcome by DSU President Richard J. McCallum—President McCallum welcomed NDUSSS to DSU.

NDUS Staff Senate President Aaron Berg called the meeting to order at 8:45 a.m.

Campus Updates: The campuses provided updates. See attached.

HRC Update: Gail Ebeltoft (DSU), was asked to talk about the changes in the NDPers, the Defined Benefit Program for state employees. There was a suggestion to share her powerpoint with all new employees through the HR orientation programs and also to try and inform present employees at the various institutions on the various ways they can contribute. She will be emailing her material to the Senate so that we can also help spread the word. The ND State life insurance vendor has changed from Prudential to ING. Differed Contribution has changed from Fidelity to TIAA CREF. Gail reported that the HRC is still working on Faculty Sick Leave Policy and one concern staff brought forward is the short term disability for maternity leave.

Approval of Minutes: Approval of minutes was done electronically on 5/6/11.

Old Business:

Constitution & Bylaws Revisions:

1. Removal of an Officer. The following is the proposed change by the Bylaws Committee.

Constitution

Section 6 Item 8. Removal from office.

1. *This section shall govern the removal process of officers and shall be interpreted in such manner as to afford equity and fairness to all affected thereby.*
2. *An officer of the NDUS Staff Senate may be removed from office for reasons such as: violation of the constitution, bylaws or policies or procedures; malfeasance in office; lack of attendance; or neglect of duty to the NDUS Staff Senate.*
3. *The process to remove an officer can be initiated by the submission of a written petition to the president, signed by at minimum of 3 (three) institutions listing reasons for removal. If the president is the officer in question, the petition shall be presented to the vice president. The signatures on the petition will be verified as appointed representatives of the institutions by the NDUS Staff Senate Secretary. Upon verification, the petition will be presented at the next regularly scheduled senate meeting. A written copy of the accusations shall immediately be given to the officer in question and all members of the NDUS Staff Senate. The officer in question will be given an opportunity to question all members of the NDUS Staff Senate. The officer in question will be given an opportunity to resign on his/her own volition after receiving the accusations. If there is no voluntary resignation, at the next regular NDUS Staff Senate meeting, after a reading of the petition, the officer in question, or his/her designated representative, shall be given an opportunity to provide a rebuttal to the accusations to the full Staff Senate in attendance. Following the rebuttal opportunity, the presiding officer will call for a vote as to the removal of the officer in question from his/her office or to the removal of him/her from the Staff Senate. The voting process shall be conducted using paper or electronic ballots with a majority of those members present required to carry the motion. Upon the motion's approval, the presiding officer of the NDUS Staff Senate shall declare the office vacant.*

Loren Liepold (UND) made a motion to accept. Nathan Anderson (MiSU), second. Motion carried.

2. SBHI Member Election. The following is the proposed change by the Bylaws committee.

Constitution

V. OFFICERS

Section 1. Officer Composition

1. *The elected officers shall consist of president, vice president, secretary/treasurer, communication officer, representative to the State Board of Higher Education and immediate past president.*

Section 2. Terms and Vacancies

1. *Election of officers for the next academic year will occur at the June meeting.*
2. *The terms of office shall be for one year commencing July 1, unless approved by a majority vote at June meeting.*
3. *Vacancies occurring during a term of office shall be filled by a vote at the next scheduled meeting after the vacancy occurs.*

By-Laws

Section 6. Officers

5. Past President

1. *Serves as an active member of the Executive Committee providing continuity in the administration of the State Staff Senate.*
2. *Serves as an advisor to current and proposed activities, using previous Executive Committee experience to give a historical perspective.*
3. *Serves as chair of the Bylaws Committee.*
4. *Contacts campus representatives to fill vacancies within each campus.*
5. *Serves as legislative liaison and chair of the Legislative Committee.*

7. Representative to the State Board of Higher Education

1. *The representative to the SBHE shall report to the SBHE the actions and concerns of the State Staff Senate as agreed to by a vote of the State Staff Senate.*
2. *The representative to the SBHE shall report to the State Staff Senate the actions and concerns of the SBHE.*

Loren Liepold (UND) made a motion to accept. Linda Benson (MiSU) second. Motion carried.

New Business:

1. TIAA CREF Oversight Committee Report

Aaron Berg, NDSCS reported that he was asked to serve on the TIAA CREF Oversight Ad-hoc Committee by Laura Glatt. The committee will provide advice and/or oversight for the various NDUS TIAA-CREF retirement plans. See Attachment_1.pdf for more information.

2. Senate Name Change

The following was discussed:

Constitution

I.Name

The name of this organization shall be North Dakota University System State Staff Senate, referred to hereafter as the State Staff Senate (SSS).

Cindy Rerick (LRSC) made a motion to ask the Bylaws committee to make the change and come back to full senate with Constitutional name changes. Christie Chernich seconded. Motion carried.

3. Dickinson State Tuition Waiver

Lauren Payne and Josh Nichols from Dickinson State University Staff Senate presented a problem that they are in the process of looking into. Tuition waivers cannot be used for online courses, which is prohibiting some state employees from pursuing a program of continuing education. While on the eastern half of North Dakota this is not a large problem on the western half it is. They are looking into presenting the attached document to the SBHE to have the policy investigated. Aaron Berg asked that all campuses report back on what their process/procedure is for allowing the tuition waivers to be used in online courses. It was suggested that they also develop a survey that we could distribute to the various institutions. See Attachment_2.pdf for more information.

4. Listserv Membership

Cindy Rerick (LRSC) asked that all institutions review the listserv and let her know of old emails or new emails that need to be updated. She has asked for assistance on developing the website – any ideas send her an email.

5. Elections

Floor was opened for nominations.

Vice President Nominations.

Nathan Anderson (MiSU) nominated James Foertsch (WSC), LaDonna DeGeldere (NDSU) second. James accepted.

LaDonna DeGeldere (NDSU) made a motion to cease nominations and cast a unanimous ballot. Anthony Willer second. Motion carried.

James Foertsch (WSC) is the SSS Vice President.

Secretary/Treasurer Nominations.

Rick Clark (VCSU) nominated Kristi Swartz (UND). Anthony Willer (DSU) second. Kristi accepted. Anthony Willer (DSU) made a motion to cease nominations and cast a unanimous ballot. Cindy Rerick second. Motion carried.
Kristi Swartz (UND) is the SSS Secretary.

Communications Officer Nominations.

Cindy Ingebretson nominated Cindy Rerick (LRSC). Loren Liepold (UND) second. Cindy accepted. Joy Smith (VCSU) nominated Emma Tufte (VCSU). LaDonna DeGeldere (NDSU) second. Emma accepted via phone.
LaDonna DeGeldere made a motion to cease nominations. Christie Chernick (DSU) second. Motion carried.
Vote was held and Cindy Rerick (LRSC) is our Communications Representative.

Loren Liepold made a motion to have the duties of Parliamentarian added to the Vice Presidents duties this year. Tracy Chisholm (DCB) second. Motion Carried.

SBHE Advisor Nominations.

Linda Benson (MiSC) nominated Janice Hoffarth (UND). Loren Liepold (UND) second. Janice accepted. LaDonna DeGeldere (NDSU) nominated Aaron Berg (NDSCS). James Foertsch (WSU) second. Aaron accepted.
Cindy Rerick (LRSC) moved to cease nominations. Rick Clark (VCSU) second. Motion carried.
Vote was held and Janice Hoffarth (UND) was named our SBHE Advisor.

Open Floor

Aaron Berg (NDSCS) will be looking into holding the next face to face meeting in 2012 at Wahpeton's campus. He will keep us updated.

Kristi Swartz (UND) will send out a Doodle to get our next meeting scheduled.

Cindy Rerick (LRSC) made a motion to adjourn, Rick Clark (VCSC) second. Motion carried.

TIAA-CREF Oversight Committee Report, June 7, 2011

An ad-hoc committee consisting of the following individuals met on 6/2/11 to discuss the desirability and feasibility of creating a committee to provide advice and/or oversight for the various NDUS TIAA-CREF retirement plans:

Diane Nelson, UND Director of Human Resources

Aaron Berg, NDSCS Campus Police Lieutenant

Verlin Hinsz, NDSU Professor, Psychology

Cynthia Wagner-Goulet, NDUS Asst. General Counsel

Laura Glatt, NDUS Vice Chancellor for Admin. Affairs

Brian Foisy, MiSU VP for Administration and Finance (absent)

Joining the committee throughout the meeting, were:

Paul Hovelsrud, TIAA-CREF Consultant, Institutional Client Services

David Wonn, TIAA-CREF Director, Investment and Product Strategist

Sparb Collins, PERS Executive Directory

TIAA-CREF provided an in depth review of the seven basic steps to meeting your fiduciary responsibilities as follows:

- 1.) Understanding your fiduciary and compliance responsibilities
- 2.) Creating or reviewing your investment policy statement
- 3.) Updating your investment menu
- 4.) Monitoring and reviewing the investment options in your plan
- 5.) Properly documenting your fiduciary activities
- 6.) Providing appropriate and effective participant education and advice
- 7.) Communicating with your participants going forward

PERS Executive Director reviewed PERS current oversight process, including committee membership, investment policy, and monitoring process.

After discussion, the ad-hoc committee developed the following recommendations:

- Brief the SBHE on fiduciary responsibilities and risks.
- Encourage SBHE members, and others, as necessary, to consider purchasing fiduciary liability insurance, if adequate protection is not currently in place.
- Consider establishing a new system wide committee to perform the following functions, as it relates to the various retirement plans administered through TIAA-CREF:
 - 1.) Develop investment policy statement.
 - 2.) Serve in an advisory role to senior councils and the Chancellor's Cabinet for periodic review of plan design, investment menu, services and employee education.
 - 3.) Monitor plan performance, including investments and costs. This would be contingent upon having the resources in place to provide adequate staff and/or consulting advice to the committee. Although TIAA-CREF has volunteered to provide assistance and information as needed, it will still require other resources to coordinate and prepare objective information.

Committee membership should include, at a minimum, potential representation from the following functional areas:

- Council of College Faculty
- NDUS Staff Senate
- Administrative Affairs
- Human Resource Council
- NDUS retiree
- NDUS Legal

Other potential members could include representation from: SBHE, Chancellor's Cabinet, PERS and/or State Investment Board.

DSU Tuition Waiver

R001 – 1011

10 A RESOLUTION CONCERNING TUITION WAIVER ACCESSIBILITY OF NDUS STAFF MEMBERS

20 **WHEREAS:** A skilled workforce of faculty and staff is essential to maintain the quality of higher education 30 and student services at Dickinson State University; and,

40 **WHEREAS:** The North Dakota State Board of Higher Education (SBHE) “encourages its employees to pursue 50 a program of continuing education” (Policy 33.1); and,

60 **WHEREAS:** Benefited employees governed by the SBHE are allowed tuition waivers for one academic class 70 per semester so long as approval is attained by the supervisor or department head (Policy 820); 80 and,

90 **WHEREAS:** The SBHE tuition waiver covers tuition, the student government activity fee, and the 100 university/college fee for the class taken for credit or audit (Policy 820.4); and

110 **WHEREAS:** Employees of the North Dakota University System (NDUS) are permitted to apply this tuition 120 waiver to classes taken in a traditional manner at many public universities throughout the state, 130but are currently not allowed to apply the waiver to classes taken through distance learning; and,

140 **WHEREAS:** Staff employed at Dickinson State University in southwestern North Dakota have limited options 150 if a traditional in-class educational experience allowed by the tuition waiver is desired; and,

160 **WHEREAS:** Offering an employee benefit package including a NDUS tuition waiver for professional 170 development through distance education will likely attract quality applicants to Dickinson State 180 University as well as other institutions in the university system.

190 **THEREFORE BE IT RESOLVED:** That the Dickinson State University Staff Senate encourages the North 200 Dakota State Board of Higher Education to investigate the current tuition waiver policy that excludes benefited 210 staff who wish to pursue professional development through distance education; and,

220 **BE IT FURTHER RESOLVED:** That the North Dakota State Board of Higher Education consider amending 230 the current tuition waiver policy to allow benefited staff the opportunity to use a tuition waiver towards either the 240 full cost of distance education or a portion of the cost while individually paying the difference in technology and 250 mandatory fees.

260 **MANDATES:** Jon Backes, SBHE President
270 Grant Shaft, SBHE Vice-President
280 Melissa Bonner, SBHE Member
290 Kirsten Diederich, SBHE Member
300 Duaine Espegard, SBHE Member

310 Michael Haugen, SBHE Member
320 Claus Lembke, SBHE Member
330 Richi Smith, SBHE Member
340 John Girard, SBHE Faculty Advisor

SPONSOR:

Dickinson State University Staff Senate

CO-SPONSOR(S):

NDUS Human Resource Policy Manual

SUBJECT: Continuing Education for Employees **EFFECTIVE:** December 16, 2010

Section: 33 Continuing Education for Employees

33. CONTINUING EDUCATION FOR EMPLOYEES

33.1 The North Dakota State Board of Higher Education encourages its employees to pursue a program of continuing education.

33.2 All benefited employees are eligible for tuition waivers as provided under SBHE Policy 820 and may be allowed release time from their regular duties for the purpose of enrolling in one academic class per school session. Release time shall be granted so long as it does not interfere with the essential work of the institution.

This education program is subject to the following:

33.2.1 The employee must obtain initial approval from their supervisor or department head and final approval from the designated administrative official appointed by the president.

33.2.2 Release time may be granted only for the amount of time required to attend the regular class session. Field trips and outside activities are not included.

33.2.3 The employee shall not pay tuition and the student government activity fee and university/college fee for the class taken for credit or audit. (See SBHE Policy 820.4)

33.2.4 The tuition waiver is limited to no more than three academic classes per calendar year.

History:

Amend. Sec. 33 (previously 32. Amendments and Exceptions), 33.1, June 20-21, 1991, pg 6431.

Amend. Sec. 33, 33.1, 33.2, 33.2.1, 33.2.2, 33.2.3, 33.2.4, SBHE Minutes, March 20, 1997, pg 6744.

Amend. Sec. 33.2, SBHE Minutes, January 15, 2004.

Amend. Sec. 33.2, SBHE Minutes, December 16, 2010.

SBHE Policies

SUBJECT: 800s: Financial Affairs EFFECTIVE: June 16, 2005

Section: 820 Tuition Waivers

1. In addition to waivers provided under subsection 2 of this policy, institutions may adopt procedures providing for waiver of tuition and fees. Institutions are encouraged to use this authority to promote enrollment of a culturally diverse student body, including members of Indian tribes and economically disadvantaged students, for the benefit of all students and the academic community, to promote enrollment of graduate students and research, and for other purposes consistent with an institution's mission. Institutions may grant partial waivers or waive non-resident or resident tuition. Institutions may also waive tuition and fees as part of a program guarantee under which the institution guarantees that graduates or program completers are minimally qualified for at least entry level positions in an occupation or job classification.

2. Institutions shall waive tuition or fees as follows:

a. Tuition and fees of the student member of the Board;

b. Pursuant to N.D.C.C. §§ 15-10-18.2 and 15-10-18.3, tuition and fees shall be waived for dependents of resident veterans who were killed in action, died of service-related causes, were prisoners of war or declared missing in action, subject to the limitations stated in those statutes;

c. Pursuant to N.D.C.C. §§ 15-10-18.4 and 15-10-18.5, tuition and fees shall be waived for survivors of firefighters, emergency medical services personnel or peace officers who died as a direct result of injuries received in the performance of official duties, subject to the limitations stated in those statutes;

d. Pursuant to N.D.C.C. ch. 37-07.1, tuition shall be waived for qualified members of the national guard, subject to the limitations stated in that chapter and national guard rules; and

e. Employee tuition waivers, including student activity fees, for a "benefited employee," as that term is defined in Policy 703.2. The waiver shall be limited to three academic classes during each calendar year. Employees may be released from work for one class each academic term with approval of the employee's supervisor or department head;

approval shall be granted if it does not interfere with completion of the employee's essential job duties and the essential work of the institution. **This waiver does not apply to continuing education or other self-supporting programs, except as provided by institution policy.** Each institution shall adopt a policy defining circumstances under which the institution will grant employee tuition waivers, within the limits of this policy, for credit courses offered through continuing education or other self-supporting programs. Institutions shall record tuition waivers as a reduction of estimated income and prepare an annual report showing the number and type of tuition waivers and dollar amounts.

History:

New policy. SBHE Minutes, December 10, 1987, page 5656.

Amendment SBHE Minutes, April 4, 2000.

Amendment SBHE Minutes, March 30, 2001.

Amendment SBHE Minutes, June 21, 2001.

Amendment SBHE Minutes, June 17, 2004.

Amendment SBHE Minutes, June 16, 2005.